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# HOUSE BILL No. 1180

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-18-2; IC 16-19-13.

**Synopsis:** Rape crisis centers. Establishes certification of sexual assault victim advocates as a prerequisite for receiving money from the sexual assault victims assistance fund.

**Effective:** July 1, 2002.

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January 9, 2002, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## HOUSE BILL No. 1180

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 16-18-2-142.5 IS ADDED TO THE INDIANA
- 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2002]: **Sec. 142.5. "Fund", for purposes of**
- 4 **IC 16-19-13, has the meaning set forth in IC 16-19-13-0.3.**
- 5 SECTION 2. IC 16-18-2-328.2 IS ADDED TO THE INDIANA
- 6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 7 [EFFECTIVE JULY 1, 2002]: **Sec. 328.2. "Sexual assault", for**
- 8 **purposes of IC 16-19-13, has the meaning set forth in**
- 9 **IC 16-19-13-1.3.**
- 10 SECTION 3. IC 16-18-2-328.3 IS ADDED TO THE INDIANA
- 11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 12 [EFFECTIVE JULY 1, 2002]: **Sec. 328.3. "Sexual assault victim**
- 13 **advocate", for purposes of IC 16-19-13, has the meaning set forth**
- 14 **in IC 16-19-13-1.4.**
- 15 SECTION 4. IC 16-19-13-0.3 IS ADDED TO THE INDIANA
- 16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 17 [EFFECTIVE JULY 1, 2002]: **Sec. 0.3. As used in this chapter,**



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"fund" refers to the sexual assault victims assistance fund established by section 6 of this chapter.

SECTION 5. IC 16-19-13-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 0.5. As used in this chapter, "Indiana coalition against sexual assault" means a nonprofit corporation formed in Indiana whose primary purpose is pursuing the eradication of sexual violence in Indiana.**

SECTION 6. IC 16-19-13-1.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 1.3. As used in this chapter, "sexual assault" means conduct that constitutes:**

- (1) a misdemeanor or felony under IC 35-42-4 or IC 35-46-1-3;**
- (2) a misdemeanor or felony that is substantially similar to an offense described in subdivision (1) under the laws of the United States, a state, or an Indian tribe; or**
- (3) an attempt to engage in conduct described in subdivision (1) or (2);**

**regardless of the age of the person who engages in the conduct or whether the conduct results in criminal prosecution.**

SECTION 7. IC 16-19-13-1.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 1.4. As used in this chapter, "sexual assault victim advocate" means an individual who provides crisis intervention or supportive services to sexual assault victims and who is certified by the Indiana coalition against sexual assault.**

SECTION 8. IC 16-19-13-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 7. (a) A rape crisis center may not receive money from the fund unless all sexual assault victim advocates employed by the center are certified by the Indiana coalition against sexual assault. The requirements for certification must include the requirements specified in subsections (b) and (c).**

**(b) Certification as a sexual assault victim advocate by the Indiana coalition against sexual assault for an individual who is not a social worker licensed under IC 25-23.6-5 must include the following requirements:**

- (1) For initial certification:**
  - (A) forty (40) hours of initial education, including:**
    - (i) social myths and perceptions concerning sexual violence;**

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- (ii) medical advocacy;
- (iii) medical examinations for survivors of sexual violence and evidence collection;
- (iv) legal advocacy;
- (v) victims' rights;
- (vi) the criminal justice process;
- (vii) sex crime statutes;
- (viii) maintaining boundaries with survivors;
- (ix) services, referrals, and resources;
- (x) assisting support services;
- (xi) dynamics of sexual assault and rape;
- (xii) initial crisis phase and response;
- (xiii) crisis counseling services;
- (xiv) healing process for survivors;
- (xv) disorders and red flags; and
- (xvi) post-traumatic rape disorder syndrome; and
- (B) payment of a fee of thirty-five dollars (\$35) to the Indiana coalition against sexual assault.
- (2) For renewal of certification every two (2) years:
  - (A) ten (10) hours of continuing education, including:
    - (i) updates in the sex crime statutes;
    - (ii) updates in medical examinations for survivors of sexual assault and evidence collection; and
    - (iii) refresher in dynamics of sexual assault and rape; and
  - (B) payment of a renewal fee of twenty dollars (\$20) to the Indiana coalition against sexual assault.
- (c) Certification as a sexual assault victim advocate by the Indiana coalition against sexual assault for an individual who is a social worker licensed under IC 25-23.6-5 must include the following requirements:
  - (1) For initial certification:
    - (A) twenty (20) hours of initial education, including:
      - (i) social myths and perceptions concerning sexual violence;
      - (ii) medical advocacy;
      - (iii) medical examinations for survivors of sexual violence and evidence collection;
      - (iv) legal advocacy;
      - (v) victims' rights;
      - (vi) the criminal justice process;
      - (vii) sex crime statutes;



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- 1 (viii) maintaining boundaries with survivors;  
2 (ix) services, referrals, and resources; and  
3 (x) assisting support services; and  
4 (B) payment of a fee of thirty-five dollars (\$35) to the  
5 Indiana coalition against sexual assault.  
6 (2) For renewal of certification every two (2) years:  
7 (A) ten (10) hours of continuing education, including:  
8 (i) updates in the sex crime statutes;  
9 (ii) updates in medical examinations for survivors of  
10 sexual assault and evidence collection; and  
11 (iii) refresher in dynamics of sexual assault and rape;  
12 and  
13 (B) payment of a renewal fee of twenty dollars (\$20) to the  
14 Indiana coalition against sexual assault.

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